IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 365 OF 2006

Babu Pandu Kokare & Ors.... .. Applicants.

Versus

The State of Maharashtra. .... Respondent.

Mr. S. P. Kadam for the Applicants.

Mr. V. S. Shinde, APP for the State.

CORAM : V. M. KANADE, J.

DATED : 23RD FEBRUARY, 2006.

P.C.:

Heard learned Counsel for the Applicants and the learned APP for the State.

2. The Applicants have an apprehension that they are likely to be arrested in connection with an offence punishable under Sections 464, 471 and 420 r/w 34 of the Indian Penal Code vide C. R. No. 218 of 2005 registered with Yavat Police Station.

3. A Complaint was filed on 16th December, 2005 that Applicant No.1 had manipulated and fabricated the

revenue record of land which was granted by the Government. There is a dispute between the Complainant and Applicant No.1 and others regarding ownership and possession in respect of certain lands. Applicant No.1 claims rights over the land on account of the grant which was given by the Government. After the abolition of Eksali Lease, sometime in the year 1950, it is now alleged that the said documents are forged. Applicant No.1 is 85 years of age. Applicant Nos.2 and 3 are the daughters-in-law of Applicant No.1. It is an admitted position that they were not concerned with the said land prior to their marriage and it appears that they were not even born when the alleged offence was committed by Applicant No.1. Prima facie case, therefore, is made out for grant of anticipatory bail.

4. The Applicants, in the event of their arrest in connection with an offence which is registered with the Yavat Police Station vide C. R. No.218 of 2005 for the offence punishable under Sections 464, 471 and 420 r/w 34 of the Indian Penal Code, they be released on bail in the sum of Rs.5,000/- each with one or two sureties in the like amount. The Applicants shall co-operate with the police in investigation of the

said complaint.

5. This application is, accordingly, disposed of.

Sd/-

(V. M. KANADE, J.)